

AMENDMENT TO THE CLAIMS

Please amend the application as follows:

1-245 (Cancelled)

246. (Currently Amended) A chemically modified nucleic acid construct, said construct comprising ~~at least one modified nucleotide or at least one nucleotide analog wherein~~ at least one modified nucleotide or nucleotide analog comprising~~ing~~[(es)] a fusogenic peptide,

at least one modified nucleotide or nucleotide analog comprising~~ing~~[(es)] a ligand to a cell receptor, and

at least one modified nucleotide or nucleotide analog comprising~~ing~~[(es)] a non-nucleic acid entity that confers nuclear localization,

which construct when present in a cell is used as a template for the synthesis of a nucleic acid product comprising RNA and having biological activity ~~wherein said product comprises RNA~~

wherein said fusogenic peptide and/or the ligand to a cell receptor is on a different nucleic acid strand as the template.

247. (Currently Amended) The construct of claim 246, wherein at least a portion of said construct is linear, and at least a portion of said construct is circular or branched.

248. (Currently Amended) The construct of claim 246, wherein at least a portion of said construct is a first polynucleotide sequence comprising a gapped circle ~~single-stranded, double-stranded or triple-stranded.~~

249. (Currently Amended) The construct of claim ~~246~~248, wherein said gapped portion of said gapped circle is hybridized to a second polynucleotide sequence comprising the fusogenic peptide construct is in double-stranded form.

250. (Currently Amended) The construct of claim 246, having at least one 3' terminus, said terminus comprising a polynucleotide tail.

251. (Previously Presented) The construct of claim 250, wherein said polynucleotide tail is hybridized to a complementary polynucleotide sequence.

252. (Currently Amended) The construct of claim 246, wherein said construct comprises DNA ~~or RNA~~.

253-254 (Cancelled)

255. (Previously Presented) The construct of claim 246, wherein at least one of said modified nucleotide or nucleotide analog has been modified at least on the sugar moiety.

256-263 (Cancelled)

264. (Currently Amended) The construct of claim ~~246~~251, wherein said ligand to a cell receptor is attached to the complementary polynucleotide sequence at least to a single stranded segment, at least to a double stranded segment, at least to a single stranded construct tail, or at least to a sequence complementary to a construct tail.

265. (Currently Amended) The construct of claim 246, wherein said ligand to a cell receptor is a hormone, lectin, protein, polysaccharide, polysaccharide,

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asialoorosomucoid, transferrin or a tri-lactyl lysyl lysine or ligands are macromolecules or small molecules.

266-272 (Cancelled)

273. (Currently Amended) A chemically modified nucleic acid construct, said construct comprising a modified nucleotide or a nucleotide analog, which construct when present in a cell is used as a template for the synthesis of a nucleic acid product comprising RNA and having biological activity, wherein

said modified nucleotide or nucleotide analog comprises at least one non-nucleic acid entity conferring cell targeting, ~~which construct when present in a cell is used as a template for the synthesis of a nucleic acid product having biological activity~~, said product comprises RNA, wherein said non-nucleic acid entity confers cell targeting;

wherein said construct further comprises at least three strands, wherein

the first strand is a template strand comprising a promoter, and

the second strand

(a) has at least one terminus, said terminus comprising a polynucleotide tail and

(b) comprises two segments, wherein ~~one~~ the first segment is complementary and hybridizes to at least a portion of the first strand and the second segment lacks said complementarity and comprises said polynucleotide tail, and

the third strand comprises (i) said modified nucleotide or nucleotide analog comprising said non-nucleic acid entity conferring cell targeting, and (ii) a polynucleotide sequence hybridized to a complementary sequence in said polynucleotide tail wherein said polynucleotide tail is hybridized to a complementary polynucleotide sequence in said third nucleic acid strand, wherein said third nucleic acid strand comprises said non-nucleic acid entity.

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274. (Previously Presented) The construct of claim 246, wherein said construct further comprises a modified nucleotide or nucleotide analog comprising a non-nucleic acid entity comprising a nuclear localization signal.

275 (Canceled)

276. (Previously Presented) The construct of claim 246, wherein at least one of said modified nucleotide or nucleotide analog has been modified at least on the base moiety.

277. (Previously Presented) The construct of claim 246, wherein at least one of said modified nucleotide or nucleotide analog has been modified at least on the phosphate moiety.

278. (Currently Amended) The construct of claim 273[[1]], further comprising a modified nucleotide or nucleotide analog that comprises a non-nucleic acid entity that confers nuclear localization.

279. (Previously Presented) The construct of claim 273, further comprising a modified nucleotide or nucleotide analog that comprises a non-nucleic acid entity that confers nuclear localization.

280. (New) The construct of claim 246, wherein said construct comprises RNA.

281. (New) The construct of claim 273, wherein the first strand comprises a gapped circle having a double stranded portion and a single stranded portion, wherein said complementary portion of the second strand is hybridized to the single stranded portion.